

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHN R. HORNER and BILLY
BROWN,

Plaintiffs,

-vs-

UNITED STATES OF AMERICA,
FEDERAL BUREAU OF PRISONS,
et al.,

Defendants.

Case No. CIV-21-0105-F

ORDER


Plaintiffs John R. Horner and Billy Brown are federal prisoners who bring this action *pro se*, alleging violations of their civil rights.

Before the court is Magistrate Judge Gary M. Purcell's Report and Recommendation of March 30, 2021. Doc. no. 13 (the Report). The Report recommends the court deny plaintiffs' applications for leave to proceed in forma pauperis (doc. nos. 2, 6, 10, 12) because plaintiffs have sufficient financial means to pay the filing fee. The Report further recommends the court dismiss this action without prejudice unless plaintiffs pay the full filing fee by April 19, 2021.

The Report advised plaintiffs of their right to object to the Report by April 19, 2021. The Report also advised that failure to timely object to the Report would waive appellate review of the recommended ruling. No objection has been filed, the April 19, 2021 deadline recommended by the magistrate judge for paying the filing fee has passed, and the filing fee remains unpaid.

Upon review, and with no objection to the Report having been filed, the Report is **ACCEPTED, ADOPTED** and **AFFIRMED**. Plaintiffs' applications to proceed in forma pauperis are **DENIED**. Doc. nos. 2, 6, 10, 12. With the filing fee remaining unpaid, this action is hereby **DISMISSED** without prejudice, as recommended in the Report.

IT IS SO ORDERED this 4th day of May, 2021.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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